

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their immediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mm²

-2-

(410) 887-4386

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

cc: Mr. Richard Parsons, President
West Towson Neighborhood Association

My Commission Expires: 9-1-94

7

Account: R-001-6180

Dyck

Please Make Checks Payable To: Baltimore Count

Cashier Validation

REVIEWED BY: LG DATE: 2/4/93
ESTIMATED POSTING DATE: 2/21/93 ITEM #: 273

(410) 887-3353

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Printed on Recycled Paper



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

2-12-93

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: * 273 (LJC)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: February 18, 1993

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):
Item Nos. 265, 270, 271, 272, 273, 274, 277, and 278.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey Long*

Division Chief: *Pat Keller*

PK/JL:lw

265, 2AC/ZAC1

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: Feb. 18, 1993

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: Feb. 16, 1993

*There are no comments on item numbers 265, 266, 269,
270, 271, 272, 273, 274, 277 and 278.*

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/lvd

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

FEBRUARY 19, 1993

(410) 887-4500

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: G. TAYLOR LYON, JR. AND GRACE LYON

Location: #400 WEST JOPPA ROAD

Item No.: *273 (LJC) Zoning Agenda: FEBRUARY 16, 1993

Gentlemen:

Pursuant to your request, the referenced Property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

VIEWER: *Cap. Jerry Long*
Planning Group
Special Inspection Division

JP/KFF

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

March 12, 1993

(410) 887-4386

Mr. Richard Parsons
President
West Towson Neighborhood Assn.
P.O. Box 5580
Towson, Maryland 21285-5580

RE: Case No. 93-259-A
Petition for Administrative Zoning Variance
G. Taylor Lyon, Jr. and Grace Lyon, Petitioners
400 W. Joppa Road, 21204
Violation case No. C-93-1685

Dear Mr. Parsons:

I have received a Petition for Administrative Zoning Variance for the above property filed by the above named property owners. The Petition seeks relief from Section 303.1 of the Baltimore County Zoning Regulations, to allow a front yard average setback distance of 26 ft. in lieu of the required 40 ft. for an enclosed porch.

The Petition has been filed as an administrative variance, which permits me to make a decision based upon the Petition and supporting documents which have been filed. That is, a public hearing is not required unless one is requested by the Petitioner, a neighbor, or if I deem that a hearing is necessary. In this case, I do not believe that a hearing is required. Moreover, I have been advised by the Zoning Enforcement Division of the Baltimore County Office of Zoning Administration and Development Management that your community association has an active interest in this case. Under the circumstances, kindly advise me whether the association desires a public hearing or, in the alternative, wishes to submit a written statement as to its position. May I please hear from you promptly.

Very truly yours,
Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn



Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3351

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Larry E. Schmidt
Zoning Commissioner

February 25, 1993

FROM: James H. Thompson - TLF
Zoning Enforcement Coordinator

SUBJECT: ITEM NO.: 273
PETITIONER: Taylor G. Taylor, Jr., et ux

VIOLATION CASE NO.: C-93-1685

LOCATION OF VIOLATION: 400 West Joppa Road
Baltimore, MD 21204
9th Election District

DEFENDANT: Taylor G., Jr. and Grace H. Lyon
400 West Joppa Road
Baltimore, MD 21093

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME	ADDRESS
Mr. Richard Parsons, President	West Towson Neighborhood Assn. P.O. Box. 5580 Towson, Maryland 21285-5580

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

JHT/TLF/cer

111 West Chesapeake Avenue
Towson, MD 21204

FEBRUARY 10, 1993

(410) 887-3353

G. Taylor Lyon, Jr. and Grace Lyon
400 W. Joppa Road
Towson, Maryland 21204

Re: CASE NUMBER: 93-259-A (Item 273)
8/8 Joppa Road, 1' W of c/l Central Avenue
400 W. Joppa Road
9th Election District - 4th Councilmanic
Petitioner(s): G. Taylor Lyon, Jr. and Grace Lyon

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before February 21, 1993. The closing date (March 8, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Arnold Jablon
Arnold Jablon
Director

WEST TOWSON NEIGHBORHOOD ASSOCIATION
P.O. BOX 5580
TOWSON, MARYLAND 21285-5580

Richard Parsons, President
O: 887-6194 (mornings)
H: 821-5473

March 18, 1993

Lwrence E. Schmidt, Esq., Zoning Commissioner
Suite 113
Courthouse
400 Washington Avenue
Towson, MD 21204

Dear Commissioner Schmidt:

Thank you for your letter of March 12th which I received yesterday. The interest of this association in the property at 400 W Joppa Road arises from our concern that the proposed porch enclosure should not turn out to be a prelude to non-residential use.

If you stipulate in your decision, and/or if the County can require the owners to covenant in writing, that the enclosure is to enhance residential use only, and that the property will remain consistent with the existing D.R. zoning, we will have no problem with the granting of the variance regarding the setback requirements. However, if such a stipulation cannot be made, or if the County cannot require the owners to so covenant regarding the uses to which the altered building would be put, then we would ask you to schedule a public hearing.

Thank you, again, for your courtesy in informing us about this matter.

Yours sincerely,

Richard Parsons

Richard Parsons
President

Application No. 20,221
Written By: RED:HO
LIBER 8557 PAGE 234

THIS DEED, Made this 29th day of June

in the year one thousand nine hundred and fifty-nine, by and between THE TOWSON METHODIST CHURCH, a religious corporation, duly incorporated under the Laws of the State of Maryland, party of the first part; and G. TAYLOR LYON, JR., and GRACE H. LYON, his wife, of Baltimore County, in the State of Maryland, parties of the second part.

WITNESSETH, that in consideration of the sum of Five Dollars (\$5.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said party of the first part does hereby grant and convey unto the said parties of the second part, as tenants by the entireties, their assigns, and unto the survivor of them, his or her heirs and assigns, in fee simple, all that lot of ground situate in the Ninth Election District of Baltimore County, in the State of Maryland, which, according to a survey prepared by Dollenberg Brothers, Surveyors and Civil Engineers, dated June 20, 1959, is more particularly described as follows, that is to say:-

BEGINNING for the same at a stone marked BK heretofore set at the end of the first line of a parcel of land which by a deed dated February 10, 1891 and recorded among the Land Records of Baltimore County in Liber J.M.S. No. 182 folio 503 was conveyed by Dr. Grafton M. Bosley et al, Trustees to The Trustees of Towson Methodist Episcopal Church of Baltimore County, said stone also being at the beginning of the parcel of land firstly described in a deed dated March 15, 1906 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1443 folio 120 which was conveyed by Ray H. Curry and wife to Frank C. McGrystle and wife and thence running with and binding on the second line of the first herein mentioned parcel of land and binding reversely on a part of the last line of the parcel of land which was conveyed by Curry to McGrystle, as the courses are referred to the magnetic meridian of 1959, south 34 degrees 21 minutes west 177 feet to a pipe set on the northeast side of the Joppa Road, thence running and binding on the northeast side of said road, south 52 degrees 37 minutes 30 seconds east 100 feet to a pipe set in the center of an old hedge there situate and at the beginning of the last line of the aforesaid parcel of land which was conveyed by Dr. Grafton M. Bosley et al, Trustees to The Trustees of Towson Methodist Episcopal Church of Baltimore County, thence leaving said Joppa Road and running with and binding on said last line and also binding on the last line of a parcel of land which by a deed dated March 25, 1920 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 524 folio 58 was conveyed by Edith L. Keech, widow to Frank S. Ehlen, north 34 degrees 13 minutes east 172 feet to an iron bar heretofore set at the beginning of the first herein referred to parcel of land which was conveyed by Dr. Grafton M.

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 400 W Joppa Rd. 21204

Subdivision name: 43 Joppa Rd. see pages 5 & 6 of the CHECKLIST for additional required information

plat book# folio# lot# section#

OWNER: G. Taylor Lyon Jr. & Grace

North
date: 2/1/93
prepared by: Cary Lyon Scale of Drawing: 1"= 40'

LOCATION INFORMATION

Election District: 9
Councilmanic District: 7

1"=200' scale map#

Zoning: DR 5.5
Lot size: 17,450 square feet

SEWER: ☒ public ☐ private
WATER: ☒ public ☐ private

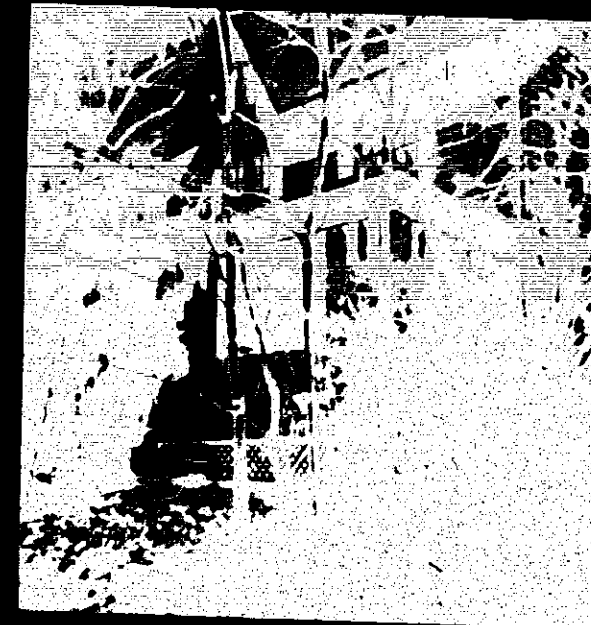
Chesapeake Bay Critical Area: ☐ ☒

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!
reviewed by: ITEM #: CASE#:
66 273



Front view



Front view adjacent Joppa
Dwelling hidden by 2 pine trees



East view



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 26401

SCALE	LOCATION	SHEET
1" = 200' ±	TOWSON	N.E. 10-A
DATE OF PHOTOGRAPHY JANUARY 1986		

93-259-A